

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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TRINIDAD GONZALEZ individually and  
on behalf of all others similarly situated,  
RUBEN BERNAL MAQEUDA and  
MIGUEL DIAZ,

**ORDER**

Plaintiffs,

CV 14-4771 (JFB) (AKT)

- against -

ALLIED CONCRETE INDUSTRIES, INC.,  
ALLIED CONCRETE STRUCTURES, INC.,  
AMERICO MAGALHAES, MANUEL  
MAGALHAES and CONCRETE  
STRUCTURES, INC.,

Defendants.

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**A. KATHLEEN TOMLINSON, Magistrate Judge:**

The Court has reviewed and considered Defendants' letter motion to compel discovery responses from certain Opt-In Plaintiffs [DE 89] as well as Plaintiffs' opposition to the motion [DE 91]. The Court is denying the motion. However, Plaintiffs' counsel is on notice that in accepting the representation of these individuals, he also accepted the responsibility to comply with the Federal Rules concerning discovery as well as the Orders of the Court — notwithstanding any issues concerning second language abilities. Counsel was aware of the Plaintiffs' and Opt-In Plaintiffs' needs at the time of retention. However, the Court finds no prejudice to the Defendants here at this time since it appears the responses have been served, albeit late in some instances. The motion is therefore DENIED.

Dated: Central Islip, New York  
May 16, 2016

**SO ORDERED.**

/s/ A. Kathleen Tomlinson  
A. KATHLEEN TOMLINSON  
U.S. Magistrate Judge